

The Gazette of India

EXTRAORDINARY

PART II—Section 3

PUBLISHED BY AUTHORITY

No. 188] NEW DELHI, SATURDAY, APRIL 6, 1957

RAJYA SABHA SECRETARIAT

NOTIFICATION

New Delhi, the 4th April 1957

S.R.O. 1150.—The following Rules made by the Joint Committee constituted under sub-section (1) of section 9 of the Salaries and Allowances of Members of Parliament Act, 1954 (No. 30 of 1954), in exercise of the powers conferred on it by sub-section (3) of the said section, which have been approved and confirmed by the Chairman of the Council of States and the Speaker of the House of the People as required by sub-section (4) of that section, are published for general information:—

THE MEMBERS OF PARLIAMENT (TRAVELLING AND DAILY ALLOWANCES) RULES, 1957

PRELIMINARY

1. (1) **Short Title.**—These rules may be called the Members of Parliament (Travelling and Daily Allowances) Rules, 1957.

(2) They shall be deemed to have come into force on the 1st day of June, 1954, provided that any claim already settled before the publication of these rules in the Official Gazette shall not be reopened by virtue of any provision contained in these rules.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

- (a) “the Act” means the Salaries and Allowances of Members of Parliament Act, 1954 (30 of 1954), as amended (9 of 1955);
- (b) “Controlling Officer” means an officer of the Lok Sabha Secretariat empowered by the Secretary to the Lok Sabha or an Officer of the Rajya Sabha Secretariat empowered by the Secretary to the Rajya Sabha, to countersign the travelling and daily allowances bills of Members of the Lok Sabha or the Rajya Sabha, as the case may be;

- (c) "Day" means a period of twenty-four hours beginning at midnight;
- (d) "Form" means a Form appended to these rules;
- (e) "Joint Committee" means the Joint Committee constituted under sub-section (1) of section 9;
- (f) "Section" means a section of the Act.

ROUTES FOR THE PERFORMANCE OF ANY JOURNEY

3. (i) Subject to the other provisions of these rules, the railway fare referred to in clause (a) of sub-section (1) of section 4 of the Act shall be calculated by the shortest route, i.e., the route by which a Member may most speedily reach his destination. When more routes than one are equally short, the fare shall be calculated by the cheapest route.

(ii) Where the shortest route is temporarily closed the extra fare may be allowed by the next quickest route.

MANNER IN WHICH FRACTIONS OF A DAY SHOULD BE DEALT WITH FOR THE PURPOSE OF DETERMINING THE DAILY ALLOWANCE ADMISSIBLE FOR THAT DAY.

4. Daily allowance shall be admissible to a Member for each day of residence on duty irrespective of the time of arrival or departure.

ADMISSIBILITY OF TRAVELLING ALLOWANCE WHERE A MEMBER IS PROVIDED WITH FREE TRANSIT FOR THE WHOLE OR ANY PART OF A JOURNEY.

5. No travelling allowance under section 4 shall be claimed by a Member in respect of any journey or part thereof performed by him in a conveyance provided at the expense of the Government of India or a State Government or a Local Fund, but he shall be entitled to draw an allowance at the rate of Rs. 5/4/- (Rupees Five and annas four) only per diem, where the duration of such journey lasts for not less than six hours on any day:

Provided that the provisions of this rule shall not apply to a journey performed on any railway.

NOTE.—The amount of Rs. 5/4/- is granted to the Member to cover his incidental expenses during such journeys or parts thereof, and is *in lieu* of the extra air or steamer fares or road mileage when he performs the journey by a conveyance supplied without charge. This allowance is not an alternative to the daily allowance of Rs. 21 per diem which is allowed to him for each day of residence on duty.

ADMISSIBILITY OF TRAVELLING ALLOWANCE WHERE THE PLACE FROM WHICH A MEMBER COMMENCES HIS JOURNEY OR TO WHICH HE RETURNS IS NOT HIS USUAL PLACE OF RESIDENCE.

6. Where a Member performs a journey for the purpose of attending a session of a House of Parliament or a meeting of a Committee or for the purpose of attending to any other business connected with his duties as a Member from a place, other than his usual place of

residence or returns to such a place he may draw travelling allowance for the actual journey performed or the journey from or to his usual place of residence whichever is less.

7. Where a Member performs a journey for the purpose of attending a session of a House of Parliament or a meeting of a Committee from his usual place of residence or for the purpose of returning from the place where such session or meeting is held to his usual place of residence, he may perform such journey in parts and break it at intermediate stations *en route* for a total period not exceeding 15 days from the date on which he actually leaves his usual place of residence or the place where the session or the meeting is held.

GENERAL RULES REGULATING THE PAYMENT OF DAILY AND TRAVELLING ALLOWANCES UNDER THE ACT.

8. Every Member shall, as soon as possible after he is elected or nominated, declare his usual place of residence to the Controlling Officer, and any subsequent change in the usual place of residence so declared shall be notified to the Controlling Officer in Form 'A' as early as possible.

9. Notwithstanding that a Member has not taken his seat in a House of Parliament to which he is elected or nominated, he shall be entitled to receive travelling allowances for the journey performed by him for the purpose of taking his seat in the House.

10. (1) For absence for a period of 15 days or more during a session of a House of Parliament or a meeting of a Committee for visiting any place in India, no travelling or daily allowance will be admissible. The period of absence of a Member shall be reckoned in terms of days beginning and ending at midnight.

Explanation.—If a member comes back on the 15th day, whether in the forenoon or in the afternoon, his absence shall be treated as being less than 15 days.

(2) The term 'during a session' or 'a sitting of a Committee' occurring in section 5 and in sub-rule (1) of this rule does not include a period of three days immediately preceding the commencement of, and three days immediately succeeding the end of, the session or two days immediately preceding the commencement of the business, and two days immediately succeeding the conclusion of the business, of the Committee.

11. Where a member elects to remain at the place where a session of a House of Parliament or a sitting of a Committee is held during the interval between the termination of the session of the House or the sitting of the Committee and the commencement of another session of the House or another sitting of the Committee and the interval exceeds seven days, he shall be allowed daily allowance at the rate specified in section 3 for each day of his residence at such place:

Provided that the total amount of daily allowance admissible under this rule for the period of such stay shall not exceed the travelling allowances to which he would have been entitled, if he had returned during the interval to his usual place of residence and performed another journey to the place where the next session of the House or sitting of the Committee is held.

12. If a Member leaves the place where a session of a House of Parliament or a sitting of a Committee is held before the commencement of the interval between the adjournment of the session or the sitting of a Committee *sine die* and the commencement of another session or sitting, such interval not exceeding a period of seven days, his absence from that place shall be treated as intermediate absence during a session of a House or a sitting of a Committee, as the case may be, and the provisions of section 5 shall apply accordingly.

13. Travelling allowance for a return journey to the usual place of residence shall be admissible to a Member who leaves the place of a session of a House of Parliament or a sitting of a Committee during the continuance of such session or sitting and returns to the place of the session or sitting after the conclusion of the business of the session or the sitting, as the case may be, before finally returning to his usual place of residence.

14. All cases regarding the admissibility of travelling allowance to a Member, who arrives at the place where a session of a House of Parliament or a sitting of a Committee is held, without knowledge of the postponement of the session or the sitting, including cases of such Members as arrive after the session or sitting is adjourned suddenly shall be determined by the Speaker of the House of the People or the Chairman of the Council of States, as the case may be, having regard to the circumstances of each case.

15. Where a Member is provided with free board and lodging at the expense of the Government of India or a State Government or a Local Fund, he shall be entitled to receive only one-half of the daily allowance admissible to him under section 3. If only board or lodging is allowed free to a Member, he shall be entitled to receive three-fourths of the daily allowances admissible to him under that section.

16. (1) Where a Member loses his Identity Card-cum-Railway Pass and a duplicate thereof is required to be issued to him, he shall make an application to the Speaker of the House of the People or the Chairman of the Council of States, as the case may be, explaining the circumstances under which the loss occurred and if the Speaker or the Chairman, as the case may be, is satisfied, a duplicate Identity Card-cum-Railway Pass shall be issued to the Member.

(2) Where a Member travels by rail without his Identity Card-cum-Railway Pass he shall be governed by the ordinary railway rules in regard to such travel.

17. (1) Whenever a Member undertakes a journey by using the railway pass provided under section 6, he shall fill in a Members' railway journey form as set out in Form 'B' before the commencement of the journey and hand over the form to the railway ticket-collecting staff on the termination of the journey at the de-training station. For this purpose a booklet containing twenty five machine numbered copies of Form 'B' shall be supplied to each Member.

(2) Whenever a Member wants to reserve accommodation on the railway, he shall fill in a form as set out in the Form 'C'.

18. A travelling allowance bill for the final journey to be performed by a Member may be paid to him not more than seven days in advance. A bill on account of daily allowance is, however, payable only upto the date of the presentation of the bill.

**FORM OF CERTIFICATES TO BE FURNISHED BY A MEMBER
FOR THE PURPOSE OF CLAIMING ALLOWANCES UNDER
THE ACT**

19. A Member who claims any travelling or other allowances under these rules shall support his claim by a certificate in the following form, namely:—

“Certified that no amount has been claimed from any other official source in respect of the journey or the period mentioned in the bill.”

20. Where no part of the journey is performed by a conveyance provided at the expense of the Government of India or a State Government or a local Fund, the following certificate shall be furnished, namely:—

“Certified that I have not performed any part of the journey (other than the railway journey) by a conveyance provided at the expense of the Government of India or a State Government or a Local Fund and that the journey was not performed by taking a single seat in a taxi or bus or public conveyance plying for hire.”

21. Where a Member performs any journey or part of a journey by air and claims air passage for such journey or part thereof, he shall furnish a certificate in the following form, namely:—

“Certified that I actually travelled by air from——— to
——— by $\frac{\text{day}}{\text{night}}$ service ”

22. After completing each final return journey on the termination of a session of a House of Parliament or a sitting of a Committee or any other business connected with his duties as a Member, a Member shall furnish a certificate in Form 'D'.

23. (1) Whenever any Government dues such as, house rent, telephone dues, etc. are reported to be outstanding against a Member and appropriate claims or bills in support thereof are received from the authority concerned, an amount equivalent to such dues shall be deducted from the next salary or travelling and daily allowances bills to be prepared for and on behalf of the Member and the balance shall be paid to him.

(2) Ordinarily any non-Governmental dues outstanding against a Member shall not be recovered from his salaries or allowances but where such dues are on account of certain services rendered to

him in the course of his parliamentary duties such as, when he is on tour with a parliamentary Committee, and the arrangements for such services have been made by or at the instance of semi-Government institutions or private parties at the request of officers of the Lok Sabha or the Rajya Sabha Secretariat, and where such Member in spite of repeated requests had failed to make payment of such dues, recovery thereof may be effected from the salary or travelling or daily allowance bills of such Member.

24. If any question arises as to the interpretation of these rules, the question shall be referred to the Joint Committee and its decision thereon shall be final.

[No. R.S.8/56-MS.&A.]
S. N. MUKERJEE,
Secretary.

FORM 'A'

[See Rule 8]

I have changed my usual place of residence from _____
to _____ with effect from _____ due to _____

(Here state the reasons)

I may henceforward be allowed travelling allowances from _____
_____.

(Signature) _____

(Division No.) _____

(Date) _____

FORM 'B'

[See Rule 17 (1)]

No.

LOK SABHA SECRETARIAT
RAJYA SABHA SECRETARIAT

Member's Railway Journey Form.

BOOK FOIL

I am travelling from
Station to Station
and have commenced my journey on
..... 195 .

My Identity Card-Cum-Railway
Pass No. is
Division No.

Lok Sabha
Member, _____
Rajya Sabha

(To be retained by Member)

No.

LOK SABHA SECRETARIAT
RAJYA SABHA SECRETARIAT

Member's Railway Journey Form.

FOIL (To be delivered to the Railway)

I am travelling from
Station to Station and
have commenced my journey on
..... 195 .

My Identity Card-Cum-Railway Pass
No. is
Division No.

Lok Sabha
Member, _____
Rajya Sabha

(To be handed over to the Railway ticket
collecting staff on the termination of the
journey.)

FORM 'C'

[See Rule 17(2)]

LOK SABHA
RAJYA SABHA

To

The Station Superintendent/Master,
_____.

Please reserve one_____class berth for my journey
ex._____to_____, by train No.
_____on_____.

Signature_____

Member LOK SABHA
RAJYA SABHA

Identity Card-cum-Rly. Pass No._____

Division No._____

Address_____

FORM 'D'

[See Rule 22]

Departure and Return-Journey Certificate

[This CERTIFICATE may kindly be filled in, signed and returned to the Under Secretary, Lok Sabha/Rajya Sabha Secretariat, as soon as possible, after the completion of the RETURN JOURNEY]

I certify that I attended the Session of Parliament in New Delhi and left New Delhi on the_____ I arrived at_____ (date) (Place)
on the_____ (date).

Payment of the supplementary bil is required at_____. (Station)

STATION:

Member of the Lok Sabha
Rajya Sabha

DATED the_____.

(Division No. _____).

